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BEFORE THE SUBCOMMITTEE ON CONSUMER
SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
REGARDING S. 591

March 21, 1991

Mr. Chairman and Members of the Subcommittee.

Thank you for inviting me to appear before you today to discuss S. 591, a bill to require the installation of air bags in all new passenger cars and light trucks sold in the United States. With me at the witness table are Barry Felrice, our Associate Administrator for Rulemaking, and Donald Bischoff, our Associate Administrator for Plans and Policy.

First, let me give you a quick update on some other safety activities that may be of interest to you. On school bus safety, the agency issued two notices of proposed rulemaking last Friday. One is to improve the strength of bus body joints and the other to improve emergency exits. We are also nearing decision on a final rule for stop arms and a notice of proposed rulemaking on rearview mirrors.

Our light truck rulemaking is moving ahead on several fronts, with a final rule issued for automatic crash protection and final decisions being considered on final rules for roof crush resistance, side impact protection, and high-mounted stoplamps.

This summer we begin a nationwide safety belt campaign for this summer that will focus on the high-travel holidays of Memorial Day, Labor Day, and the Fourth of July. We have great hopes that a concentrated safety belt media campaign combined with aggressive enforcement of safety belt use laws will advance the President's goal of achieving 70 percent safety belt usage by 1992. With my testimony, I am submitting a summary of this campaign for your information. We will be reporting in greater detail on these safety objectives at our oversight hearing next month.

Now let's turn to air bags and Federal Motor Vehicle Safety Standard (FMVSS) No. 208, which requires automatic crash protection for the driver and right front passenger of all passenger cars manufactured after September 1, 1989. Although any form of automatic protection could satisfy the performance requirements of the standard, the standard contains a key option encouraging air bags rather than automatic belts.

The standard allows manufacturers that install a driver air bag to retain a manual lap/shoulder belt for the right front passenger until September 1, 1993. This permits the manufacturers to focus their engineering efforts on the driver's seating position, where about 70 percent of all fatal occupant injuries occur. It also permits the manufacturers time to overcome the engineering difficulties of installing air bags for the passenger's side, so that they can install air bags rather than automatic belts.

We are now seeing exactly the result we hoped for. There are more driver-side air bags being installed than would have occurred otherwise.

Although Mercedes-Benz has had driver air bags as standard equipment since 1986, and other manufacturers have installed air bags in one or more lines, the decision by Chrysler to take advantage of the driver-side option and to install driver air bags as standard equipment in all its passenger cars has contributed significantly to the public awareness of the air bag and its benefits. The head-on crash of two Chrysler LeBarons in Virginia last year created favorable publicity nationwide. You were able to use those cars at your press conference announcing S. 591.

The growing public awareness of air bags has led many manufacturers to adopt air bags in place of automatic belts or to accelerate their plans for installing air bags. Public statements by the manufacturers about their plans to install air bags indicate that approximately 90 percent of the passenger car fleet will be equipped with driver and passenger air bags by the mid-nineties. We would expect the remaining 10 percent to follow soon.

We believe that the success we have seen in passenger cars will soon be repeated with other light-duty vehicles. This week we issued a final rule extending the automatic crash protection requirements to trucks, multipurpose passenger vehicles and buses having a gross vehicle weight rating of 8,500 lbs. or less and an unloaded vehicle weight of 5,500 lbs. or less.

To permit the manufacturers time to incorporate automatic protection into the wide range of light trucks on the market, the standard adopts a phase-in schedule requiring each manufacturer to install automatic

protection in 20 percent of its light trucks in MY 1995, 50 percent in MY 1996, 90 percent in MY 1997, and its entire fleet in MY 1998. An alternative schedule, to address concerns of single-line manufacturers, allows a manufacturer to postpone any installation in MY 1995, and instead equip all of its light trucks with automatic protection in MY 1996.

We have adopted the same driver-side option for light trucks that has proven so successful in securing the installation of air bags in passenger cars. Light trucks with a driver-side air bag will be permitted to have a manual safety belt on the passenger side through MY 1998.

In response to consumer demand, some manufacturers have already begun installing air bags in light trucks. Chrysler, which already offers air bags in its minivans, has said it will be the first U.S. manufacturer to put air bags in sport utility vehicles when it offers them in its new Jeep ZJ next year. Ford is planning to equip all 1992 Aerostars and E-150/250 series Econoline vans with driver-side air bags.

The rulemaking option favoring air bags will thus reinforce a trend that has already become established, both because the buying public seems to favor air bags over automatic belts, and because widespread air bag installation in passenger cars has resolved many of the technical aspects of installation. Numerous challenges remain for specific light truck applications, to deal with such problems as sensors that can withstand the normal shocks of off-road use, but it is clear that regulatory and

market forces are moving very rapidly to ensure that air bags are installed as quickly as the technology will permit.

I want to close this discussion of the status of air bag installation by stressing the limits as well as the benefits of air bags. The agency's estimates of restraint system effectiveness have always indicated that air bags in combination with lap/shoulder belts potentially offer the highest level of protection against fatality or serious injury compared with other restraint systems. At the same time, we have also stressed that air bags provide supplemental protection, primarily protecting occupants involved in frontal collisions but offering little protection in side or rear impacts or rollovers. For maximum safety, lap and shoulder belts should always be used in air bag-equipped cars.

S. 591 requires driver and passenger air bags in passenger cars in MY 1996, driver air bags in light trucks in MY 1997, and both driver and passenger air bags in light trucks in MY 1998.

Based on available data, we believe that car manufacturers will provide full front air bag protection by MY 1996. However, plans have not been announced for all models of all lines to offer this protection. Current plans indicate that approximately 90 percent of the passenger car fleet will have full front air bag protection by MY 1996. The best case is that 100 percent air bag installation may come by MY 1996.

As for light trucks, the bill's MY 1997 date for driver-side air bags and

My 1998 date for full front air bags are close to being practicable. The date for full front air bags would precede by one year the schedule we adopted in the final rule on light trucks. The worst case is that the deadlines set by the bill could present difficulties, since light trucks present new and complex engineering challenges that may require further rulemaking during our phase-in schedule.

S. 591's implementation schedule is not unreasonable and generally coincides with what we believe will happen anyway. However, the bill does lack some flexibility and does not permit changes to the schedule or to its mandated standards, even if changes could raise the level of motor vehicle safety.

The bill might remove any incentive for manufacturers to continue research and development plans to explore alternatives to air bags, such as "user friendly" interiors or "air belts." Some of these technologies appear promising.

S. 591 may also eliminate flexibility for the agency to accommodate vehicles such as walk-in vans and U.S. Postal Service vehicles. Our final rule exempts these vehicles because of practicability problems or lack of a safety need.

We at NHTSA are pleased with the bill's safety objective. However, we believe that the current regulatory process is sound, that it has worked in the case of the occupant protection standard, and that it should be

allowed to continue to work. We therefore prefer regulation by rulemaking over regulation by Congressional enactment.

This concludes my prepared remarks. I will be glad to answer any questions you may have.

